IN RE: PETITION FOR SPECIAL HEARING
NW/S Pinoak Avenue, cor. SWS
Of Meadow Avenue
1710 Pinoak Avenue
15th Election District
7th Councilmanic District
Mitchell Short, Petitioner

- BEFORE THE
- * ZONING COMMISSIONER
- * OF BALTIMORE COUNTY
- * Case No. 99-198-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 1710 Pinoak Avenue in the Oakleigh Beach subdivision of Baltimore County. The Petition was filed by Mitchell Short, property owner. Special Hearing relief is requested to permit 6 dogs to remain on the property temporarily, in lieu of the maximum permitted 3, as accessory to a homeowner. The subject property is more particularly shown on the plat to accompany the Petition for Special Hearing, marked as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing held for this case was Ms. Connie Dahl, daughter of Mitchell Short, property owner. The Petitioner was represented by John B. Gontrum, Esquire. There were no Protestants or other interested persons present.

An examination of the site plan discloses that the property is a rectangularly shaped lot, 50 ft. x 150 ft. in dimension, .172 acres in area, zoned D.R.5.5. The property is improved with a single family dwelling, known as 1710 Pinoak Avenue. The property is described in the Land Records as being lot No. 145 in the subdivision known as Oakleigh Beach.

Mrs. Dahl appeared at the hearing on behalf of her father, Mitchell Short, property owner. Mr. Short is elderly and in ill health. Mrs. Dahl indicated that her mother passed away in 1997 and since that time she has lived with her father at the subject property. In addition to Mr. Short, Mrs. Dahl's daughter and grandaughter also reside on the property.

Mrs. Dahl moved in with her father to assist in his care. She brought her dogs with her to the property which have been her house pets for a number of years. In addition to those dogs, her father owns several dogs. Thus, there are presently 6 dogs on the property, more than the 3 permitted by regulation.

The Hard Harine

Mrs. Dahl testified that it would be a hardship if the dogs had to be removed or destroyed. She indicated that the dogs are kept inside and are not a public nuisance. In addition, the dogs are neutered and are not allowed to roam. Mrs. Dahl produced a Petition signed by a number of residents in the community in support of the request. As noted above, there were no Protestants and there is no indication that these animals cause any adverse impact or a bother to surrounding properties. Mrs. Dahl also stated that the dogs would not be replaced after they die and, thus, the relief is temporary in nature. She identified the dogs and their ages, as follows: Princess, age 13; Pugsley; age 9; Bebe; age 8; Otis, age 6; Lady, age 7; and Puppy, age 3.

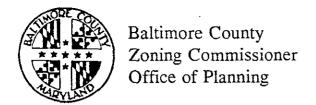
Based upon the testimony and evidence offered, I am persuaded to grant the Petition for Special Hearing. In my judgment, there will be no adverse impact on surrounding properties for so long as the animals are maintained in the current fashion. I am sympathetic to Mrs. Dahl's request to keep her pets as well as those owned by her father. The father's illness and age are compelling factors which support the request in this case.

Pursuant to the advertisement, posting of the property and the public hearing on this Petition held, and for the reasons given above, the relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this day of January 1999 that the Petition for Special Hearing to allow 6 dogs on the property, temporarily, in lieu of the 3 permitted, as accessory to a homeowner, be and is hereby GRANTED, subject, however, to the following restrictions:

- 1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired.
- 2. The Petitioner shall not replace the animals identified herein and relief is limited to those animals only.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY



Suite 405, County Courts Bldg. 401 Bosley Avenue Towson, Maryland 21204 410-887-4386

January 26, 1999

John Gontrum, Esquire 814 Eastern Boulevard Baltimore, Maryland 21221

> RE: Petition for Special Hearing Case No. 99-198-SPH Mitchell Short, Petitioner

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an Appeal, please feel free to contact our Appeals Clerk at AC-410-887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn
Encl.
Copy
Mrs. Connie Dahl
1710 Pinoak Avenue
Baltimore, Maryland 21222



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

1710 Pinoak Avenue

which is presently roped

19-198-51

D.R. 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

Property is to be posted and advertised as prescribed by Zoning Regulations.

The undereigned, legal owner(s) of the property eituate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Special Hearing to allow 6 dogs temporarily on property in lieu of 3 permitted as accessory to homeowner.

	Wife do actemnly declare and affirm, under the penalties of perjuty, that I we are the legal owner(s) of the property which is the subject of this Peblion.
Contract Purchaser/Lesson:	Legal Owner(s):
	MITCHELL SHORT
(Type or Print Name)	(Type or Print Name)
Signature	Signature 9
Address	(Type or Print Name)
City State Zipcode	Signature
	1710 PINOAK AVENUE (410) 477-4496
Accommy for Petitionar: JOHN B. GONTRUM	BALTIMORE, MD 21222
Type or Prine Name) (MS)	Cay State Ziocode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
Signature	Neme
814 EASTERN BLVD (410) 686-8274	
814 EASTERN BLVD (410) 686-8274	Address Phone No.
BALITIMORE, MD 21221	Address Phone No. OFFICE USE ONLY
Addrese Phone No.	

ZONING DESCRIPTION FOR 1710 PIN OAK AVENUE

Beginning at a point on the south side of Meadow Avenue, which is forty feet wide at its intersection on the west side of Pin Oak Avenue, which is forty feet wide. Being Lot # 145 as shown on the Plat of Oakleigh Beach, which Plat is recorded among the Plat Records of Baltimore County in Plat Book C.W.B. Jr. No. 12, page 46. Also known as 1710 Pin Oak Avenue and located in the 15th Election District, 7th Councilmanic District.

The section of the se	MODEUS ACTUM THE TANK TO SEE TO SEE THE SECOND SECO	REJEIPT # 065646 FORTPT GILV-	Baltimore County, Maryland			CASHIER'S VALIDATION
BALTIMORE COUNTY, MARY ND OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	DATE 11/10/98 ACCOUNT 001-6150	AMOUNT \$ 50.00 (WCIL)	FROM: Romadka, Gentrum & McLaughlin	FOR. RESIDENTIAL SPECIAL HEARING	Drop-Off No Review	DISTRIBUTION WHITE-CASHIER PINK - AGENCY YELLOW - CUSTOMER

Case #99-198-SPH 1710 Pinoak Avenue NWS Pinoak Avenue SW/S Meadow Avenue SM/S Meadow Avenue SM/S Moadow Avenue Thi Gounolifranio District Legal Owner(s): Mitchell Short

Special Hearing, to allow 6 dogs temporarily in ligh of the 3 permitted.

3 permitted.

Hearing: Tuesday, December 22, 1988 at 2.00 from, in Ber 22, 1988 at 2.00 from, in Building, 111 West Chesaperic Avenue.

LAWTENCE E. SCHMIDT Zoning Contribution County Markings are Handigapped. Accessible: for special accommodations Please Call (410) 887-3333.

(2) For Information concerning the Fife Smith Concerning the Fife Smith Concerning the Fife Smith Concerning the Fife Smith (410) 887,3333.

12/038 Dec. 8 . 02/7/178

CERTIFICATE OF PUBLICATION

D 3 TOWSON, MD.,

published in THE JEFFERSONIAN, a weekly newspaper published successive THIS IS TO CERTIFY, that the annexed advertisement was in Towson, Baltimore County, Md., once in each of $_$ <u>ス</u> weeks, the first publication appearing on _

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

BALTIMORE COUNTY DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT COUNTY OFFICE BUILDING, ROOM 111 111 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

CASE NUMBER: 99-198-5PH

PETITIONER/DEVELOPER: () mitchell Short

DATE OF HEARING/GLOSENG: () /2-22-98

ATTENTION: MS. GWENDOLYN STEPHENS

LADIES AND GENTLMEN:

THIS LETTER IS TO CERTIFY UNDER THE PENALTIES OF PERJURY

THAT THE NECESSARY SIGN (S) REQUIRED BY LAW WERE POSTED

CONSPICUOUSLY ON THE PROPERTY LOCATED AT.

1710 Pinsak avenue Baltume mod. 21222

THE SIGN (S) WERE POSTED ON, 12-7-98 BY THE UNDERSIGNED.

SINCERELY.

THOMAS P. OGLE SR. 325 NICHOLSON RD. **BALTIMORE MD. 21221**

(410) 687-8405

(410) 687-4381 (FAX)

	inting, Black Letters on White Background:
	ZONING NOTICE
	Case No.: 99-198-SPH
	A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD
DATE AND TIME:	PECIAL HEARING TO ALLOW 6
Dogs :	TEMPORARILY IN LIEU OF THE
OSTPONEMENTS	DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391.
	10VE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

9/96 post_4.doc

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newsp	aper Advertising:
Item Numbe	r or Case Number:
	MITCHELL SHORT
Address or I	ocation: 1710 PINOAK AVENUE, BALTO., MD 21222
PLEASE FO	RWARD ADVERTISING BILL TO:
Name:	CONNIE DAHL
Address:	1710 PINOAK AVENUE, BALTO., MD 21222
— Telephone N	lumber: _(410) 477-4496

Revised 2/20/98 - SCJ



TO: PATUXENT PUBLISHING COMPANY

December 3, 1998 Issue – Jeffersonian

Please forward billing to:

Connie Dahl

410-477-4496

1710 Pinoak Avenue Baltimore, MD 21222

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-198-SPH

1710 Pinoak Avenue

NW/S Pinoak Avenue, corner SW/S Meadow Avenue

15th Election District – 7th Councilmanic District

Legal Owner: Mitchell Short

Special Hearing to allow 6 dogs temporarily in lieu of the 3 permitted.

HEARING: Tuesday, December 22, 1998 at 2:00 p.m. in Room 106, County Office

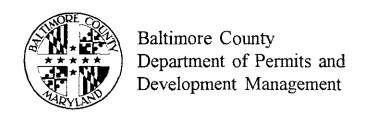
Building, 111 West Chesapeake Avenue

Lawrence E. Sandt 41)

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

November 23, 1998

NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-198-SPH 1710 Pinoak Avenue NW/S Pinoak Avenue, corner SW/S Meadow Avenue 15th Election District – 7th Councilmanic District Legal Owner: Mitchell Short

Special Hearing to allow 6 dogs temporarily in lieu of the 3 permitted.

HEARING: Tuesday, December 22, 1998 at 2:00 p.m. in Room 106, County Office

Building, 111 West Chesapeake Avenue

Arnold Jablon

Director

c: John B. Gontrum, Esquire

Mitchell Short

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 7, 1998.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.



Parris N. Glendening Governor David L. Winstead

Secretary
Parker F. Williams
Administrator

Date:

11.20.92

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE:

Baltimore County

Item No. 191

WCR

Dear. Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

f. f. Grelle

10

Michael M. Lenhart, Acting Chief Engineering Access Permits Division

My telephone number is _

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: December 8, 1998

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Supervisor Bureau of Developer's Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

for November 30, 1998

Items Nos. 498, 201, 202 and 203

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comment.

RWB:HJO:cab

cc: File

ZONE1130.NOC

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE:

December 7, 1998

Permits and Development Management

FROM:

R. Bruce Seeley, Project Manager Mn/5

Development Coordination

DEPRM

SUBJECT:

Zoning Advisory Committee

Distribution Meeting Date: November 23, 1998

The Department of Environmental Protection and Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

200

201

202

203

If there are any questions regarding these items, please contact me at ext. 5859.



Office of the Fire Marshal 700 East Joppa Road Towson, Maryland 21286-5500 (410)887-4880

November 29, 1998

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF November 23, 1998

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the sinal plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

REVIEWER: LT. ROPERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND

Date: December 9, 1998

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director

Department of Permits

and Development Management

FROM: Arnold F. 'Pat' Keller, III, Director

Office of Planning

SUBJECT: Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):

Jeffry W Lay

Item No (s): 196, 198, 201, and 208

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

AFK/JL

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	Owners:		II Chart				*		FOR			
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RE:	PETITI	ON FO	R SPECI	AL HEA	ARING		*		BEFORE	E THE		

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

CAROLE S. DEMILIO

diole S. Demilio

Deputy People's Counsel

Old Courthouse, Room 47

400 Washington Avenue

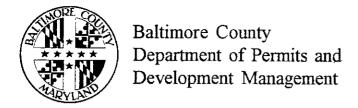
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this _____ day of December, 1998, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esq., Romadka, Gontrum & McLaughlin, 814 Eastern Blvd., Baltimore, MD 21221, attorney for Petitioner(s).

PETER MAX ZIMMERMAN



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

November 10, 1998

John B. Gontrum, Esquire 814 Eastern Boulevard Baltimore, MD 21221

Dear Mr. Gontrum:

RE: Drop-Off Petition, 1710 Pinoak Avenue, Case Number 99-198-SPH

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper form pertaining to this. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to this office.

If you have any questions regarding the sign posting, please do not hesitate to contact Sophia Jennings at 410-887-3391.

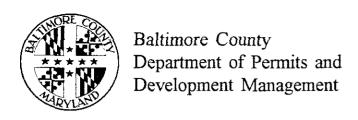
Very truly yours,

wer (sci

W. Carl Richards, Jr. Zoning Supervisor Zoning Review

WCR:scj

Enclosures



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

410-887-3391

November 27, 1998

John B. Gontrum, Esquire 814 Eastern Boulevard Baltimore, Mayrland 21221

Dear Mr. Gontrum:

RE: Drop-Off Petition Review Case #99-198-SPH, 1710 Pin Oak Avenue, 15th Election District

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

If you need further information or have any questions, please do not hesitate to contact me.

Sincerely

Jun R. Fernando

Planner II

Zoning Review

JRF:cis

Enclosure (receipt)



DROP-OFF PETITION

Regarding this Petition for Special Hearing for the property located at ___1710 Pinoak Avenue :

- (1) This Petition **HAS** been reviewed by Jun Fernando in the Zoning Office and changes made per his instructions.
- (2) The property **IS** the subject of a zoning violation notice Case No. 98-4107 filed by Inspector Chen.

If there are any questions regarding this Petition, please contact:

John B. Gontrum

John B. Gontrum 814 Eastern Boulevard Baltimore, Maryland 21221 (410) 686-8274

Attorney for Petitioner

I, the undersigned, have no objections to the zoning variance for a hennel license at 1710 Pinoak ave, with the provision that once the existing dogs die, they can not be replaced.

Print Name	Address	Signature
13 RENDALATORIE	1712 PIN DAKAN	E Branda La Porte
Barbara Moran	1915 PIN OAKA	E Barbara Moran
Veronica Bailey	6145ClivToust	Veronica Bailey
White J.	1716 Pin Oak Are	Dalo Humber Je.
Joraine Silmon		Joraine Gilmon
Myine Shrenglu	1711 Penselas	May me shrengher
Rose Yuhan	/	ROSALIE · YUHASE
Doris Hook	1707 PIN DAK AVE	Doris Hook,
 Neley Grace	17/3 Pin Oak ave	Heley a Grace
Colvin Froce	1713 Pin ahare	Teles a Shace Colvin & Dre
Ryan Cook	1713 pin Oakave	Repor Cook
Sunny Cannington	1713 Pin Oak Au	Luguel annugh
SamesBur	1714 Pin Oak	James Buss
Keuin Schultz	1719 PIN OAK	Kem A Schulty
MARY BARNES	905 Oakleigh BehRa	many Barnes
Hoxia Feibel	. , , , , , , , , , , , , , , , , , , ,	Gloria Feefel

I, the undersigned, have no objections to the zoning variance for a Kennel license at 1710 Pincak ave, with the provision that once the existing dogs die, they can not be replaced.

		1	•
*	Print Name	address	Signature
	John Kessler	1715 WATERVALEAVE	John M. Kosele Susan Rosenthal
	SUE ROSENTHAL	855 DAKLEIGHBEACH	
	Joseph S. Kessler	1715 WATER Unterfue	Joseph & Bessler
	web Bom	1708 PIN OAK AVE	Cincha Bu
	, , , , , , , , , , , , , , , , , , ,		

ALTIMORE COUNTY HEALTH DEPARTMENT BUREAU OF ANIMAL CONTROL 13800 Manor Road Baldwin, MD 21013

			
Address ////	The Old Gora	Zip Code	A 12
Phone <u>4/10-917</u>	- 44496 Own	er <u> </u>	
Type of Facility	- Commence	HF License # State License # Psittacine #	
Animals Kept on Premises		·	
Dogs	Cats	Birds	
Hamsters	Gerbils	Mice	1
Ginuea Pigs	Wildlife	Other	
General Condition of Ani	imals <u>All chargs</u>	1992 - 100 por	<u> </u>
Adequate Food, Water, Be	edding		
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